

# Marine Safety Newsletter

U.S. Coast Guard Marine Safety and Environmental Protection Directorate

## Boating Fatalities Declined in 1999

According to recently released U.S. Coast Guard figures, last year saw almost 200 fewer boating deaths than in 1998. The total number of deaths at sea in 1999 was 724, down 12% from 815 in the previous year.

*BoatU.S.* Magazine reports that many fatalities occurred on canoes and kayaks, as opposed to personal watercraft, but the highest number of deaths occurred on open motorboats. However, to determine which vehicle carries more risk, the amount of time spent on each has yet to be determined. Perhaps not surprising, 501 of the 724 deaths last year were by drowning, with most not wearing life jackets. The report states that Florida (58), California (42), Texas (41), Louisiana (35) and Washington (31) were the top five states for boater deaths last year, with numerous U.S. properties having fewer than five deaths.

Although Coast Guard officials expect to have more detailed information next month, the agency commissioned the National Recreational Boating Survey in 1999 through a grant funded by the Wallop/Breaux Trust Fund. According to *BoatU.S.*, this survey found that 89 % of boaters said life jackets should be required on children, and 33 % said the jackets should be required on all boaters.



### Inside:

- 2 USCG TO ENSURE SAFER TOWING
- 2 MARINER TAX BILL BECOMES LAW
- 2 BOATU.S. OFFERING GRANTS
- 2 WINTER BOAT SHOWS
- 3 USCG TO SET CENTURY'S AGENDA
- 3 WHAT'S NEW ON THE WORLD WIDE WEB
- 4 IMO CORNER
- 5 PREVENTION THROUGH PEOPLE

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The *Marine Safety Newsletter* is published by the USCG Marine Safety and Environmental Protection Directorate to collect and disseminate information of general interest to the maritime community. The monthly newsletter prints abstracts of major USCG rulemakings, studies, special projects, and related events. Articles from non-Coast Guard sources may not represent USCG policy or views.

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**December 2000**



## USCG to Ensure Safer Towing

The U.S. Coast Guard has proposed improving the safety of towing vessels by requiring the installation of fixed fire-extinguishing systems in their engine rooms, and by requiring their owners or operators and masters to ensure that voyage plans are complete before they commence their trips with any barge in tow.

This proposal would apply to all towing vessels except those that engage in assistance towing, pollution response, or fleeting duties in limited geographical areas. Owners of existing towing vessels would have five years after the effective date of these rules to install the required fixed systems. The voyage-planning requirement likely would go into force on the effective date of the rule.

A Coast Guard report in the *Federal Register* states that these rules would reduce the number of uncontrolled fires in engine rooms and other fire-related or operational mishaps on towing vessels. As a result, they would save lives, diminish property damage and reduce the associated threats to the environment and maritime commerce.

A memorandum published by the Transportation Institute includes the definition of allowable fixed fire-extinguishing systems as follows: **(1) a carbon-dioxide system** that satisfies 46 CFR subpart 76.15; **(2) a manually operated clean-agent system** that satisfies National Fire Protection Association 2001 and is approved by the agency; or **(3) a manually operated water-mist system** that satisfies NFPA 750 and is approved by the agency.

The Coast Guard intends to work with the Towing Safety Advisory Committee in developing a Navigation and Vessel Inspection Circular on voyage planning to provide guidance to assist with thorough implementation of this requirement.

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking [USCG-6931] and the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and attachments in an unbound format, not larger than 8 1/2" x 11", suitable for copying and electronic filing, to the

Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh St. SW., Washington, DC 20590-0001. For questions on this proposed rule, call Mr. Randall Eberly, P.E., Project Manager, by phone at (202) 267-1861. For questions on viewing or submitting material to the Docket, call Ms. Dorothy Beard, Chief of Dockets, Department of Transportation, phone (202) 366-9329.

## Mariner Tax Bill Becomes Law

S. 893, legislation that will prevent merchant mariners engaged in interstate commerce from being taxed in or having taxes withheld in state or local jurisdictions in which they do not reside, was signed by President Clinton on Nov. 9. It is Public Law 106-489.

## BoatU.S. Offering Grants

The BoatU.S. Foundation for Boating Safety and Clean Water is seeking creative, hands on environmental boating projects to fund. For the third year, the Foundation is offering non-profit volunteer organizations grants of up to \$2,000 for local, community-based projects that encourage environmentally friendly boating and fishing.

Last year, this program awarded more than \$11,000 in grants to 10 volunteer groups in the nation. The program has funded projects ranging from aluminum can recycling initiatives to educating boaters on oil spill prevention.

Applications for the "Clean Water Grants Program" must be postmarked by Feb. 1, 2001 and all funds awarded will be available Apr. 30, 2001. More information is available on the BoatU.S. Web site at [www.BoatUS.com](http://www.BoatUS.com), or by calling (800) 262-8872.

## Winter Boat Shows

New York, NY	Jan. 6-14
Atlantic City, NJ (Sail Expo)	Jan. 18-21
Cleveland, OH	Jan. 19-28
Chicago, IL	Jan. 24-28
New Orleans, LA	Feb. 8-11
Detroit, MI	Feb. 10-18
Miami, FL	Feb. 15-20
Boston, MA	Feb. 17-25



## USCG to Set Environmental Agenda

The U.S. Coast Guard recently announced a public meeting to help in setting its environmental agenda for oil pollution prevention, preparedness and response in the 21<sup>st</sup> Century. At the meeting, which was announced in the Oct. 18 *Federal Register*, Coast Guard officials hope to hear input from all stakeholders to identify possible threats to the environment, and receive ideas to help found its future prevention, preparedness and response programs and needs.

The public meeting will take place from 8:30 a.m. to 4 p.m. Dec. 12, 2000 at Coast Guard Headquarters, 2100 2<sup>nd</sup> Street SW., Washington, DC 20593 in room 2415. This meeting also will be broadcast on the Internet at [www.TVWorldwide.com](http://www.TVWorldwide.com). For questions regarding this meeting, instructions on how to access it on the Internet, or meeting reservations, contact CDR George H. Burns III, Office of Response (G-MOR-1), Coast Guard, by phone at (202) 267-0421, Email at [Gburns@comdt.uscg.mil](mailto:Gburns@comdt.uscg.mil). To submit material to the docket, contact Ms. Dorothy Beard, Chief of Dockets, Department of Transportation, by phone at (202) 366-9329.

The Coast Guard is seeking response to the following questions: (1) **What** source do you see as presenting the biggest risk of oil pollution? (2) **How** do you see that risk changing during the next 10 years? (3) **How** do you see the waterborne transport of oil changing during the next 10 or 20 years? (4) **What** best practices for prevention, if any, from what industry or company, should we urge for uniform application throughout the waterborne transport of oil? (5) **Should** the Coast Guard concentrate its efforts toward preventing oil pollution on vessels and management, or on measures external to the vessel, such as Vessel Traffic Services, port risk assessments, and the like? (6) **Do** you perceive the public as becoming less tolerant of the risks of oil pollution? If yes, how is that affecting shipping, mariners' practice, and efforts toward prevention? (7) **How** will mariners' roles change with respect to preventing oil pollution in the future? (8) **Should** the Coast Guard be equally prepared for spills from foreign sources as for those from domestic ones? If so, how should we advance preparedness for spills from foreign sources (perhaps

through the International Maritime Organization or classification societies)? (9) **Should** response plans for other sources of spills mirror the response plans for vessels envisioned by OPA 90? (10) **Should** non-tank vessels have to contract resources for worst cases, as tank vessels must under OPA 90? (11) **Should** the scope of, frequency of, and criteria for spill response exercises align with those in the Preparedness for Exercise Program (PREP)? (12) **Should** Qualified Individuals for non-tank vessels meet the same standards as those required for tank vessels? (13) **Should** strategies for response to and mitigation of other sources of spills differ from those used for sources of spills identified under OPA 90? How? (14) **What** needs improvement in control of and assessment for response to spills? (These comprise modeling, remote sensing, direct reading instruments, and field technologies.) How? (15) **What** needs improvement in cleanup methods and technologies? (These comprise in-situ burning, dispersants, mechanical recovery, shoreline cleanup, bioremediation, and other innovations.) How? (16) **How** does risk of oil pollution compare with risks from other forms of pollution in terms of effect on the environment? (These may comprise of hazardous materials, airborne materials, aquatic nuisance species, or others.) (17) **Should** we consider specific sources of funding for further improvements? (These may comprise per-barrel taxes, port tariffs, users' fees, or others.) Should the Oil Spill Liability Trust Fund or a similar source be available for preventative measures? (18) **What** improvements would you make to the U.S. Marine Transportation System to minimize the risk of pollution? (19) **Given** that the costs of improving the infrastructure of the Marine Transportation System could be significant, what portion of these costs of improvement to reduce the risk of pollution should the public bear?

### WWW.



### What's New on the World Wide Web

[www.uscg.mil/hq/g-m/gmhome.htm](http://www.uscg.mil/hq/g-m/gmhome.htm)

Licenses and Certifications Issued Under the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers, 1978, as amended (STCW) for Service on Offshore Supply Vessels (OSV)

<http://www.uscg.mil/hq/g-m/marpers/pag/7-00.pdf>

## IMO Raises Compensation Limits for Oil Pollution Disasters

The Legal Committee of IMO has adopted amendments to raise by 50 percent the limits of compensation payable to victims of pollution by oil from oil tankers. This action took place during the Legal Committee's 82<sup>nd</sup> Session during late October, and was available to the public in November.

The amendments to the 1992 Protocol of the International Convention on Civil Liability for Oil Pollution Damage (CLC Convention) and to the 1992 Protocol of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPC Fund) are expected to enter into force on Nov. 1, 2003, unless objections from one quarter of contracting States are received before then.

The CLC Convention makes the shipowner strictly liable for damage suffered as a result of a pollution incident, and the amendments raise the limits payable to \$115 million (U.S. exchange) Special Drawing Rights (SDR) for a ship over 140,000 gross tonnage, up from 76.5 million (U.S. measures) established in the 1992 Protocol.

The IOPC Fund amendments raise the maximum amount of compensation payable from the IOPC Fund for a single incident, including the limit established under the CLC amendments, to \$260 million (U.S. exchange), up from \$173 million (U.S. exchange). However, if three States contributing to the Fund receive more than 600 million tonnes of oil per annum, the maximum amount is raised to \$386 million (U.S. exchange), up from \$256 million (U.S. exchange).

While the Civil Liability Convention regulates the shipowner's liability, the Fund is made up of contributions from oil importers. The principle is that if an accident at sea results in pollution damage that exceeds the compensation available under the Civil Liability Convention, the Fund will be available to pay an additional amount. In this way, the regime estab-

lished by the two treaties ensures that the burden of compensation is spread more evenly between shipowner and cargo interests.

The adoption of the increased limits comes in the wake of two major accidents: the *Nakhodka* in 1997 off Japan and the *Erika* disaster off the coast of France in December 1999.



### CLC Compensation Limits

The compensation limits set by the 2000 amendments entering into force in 2003 are as follows:

- For a ship not exceeding 5,000 gross tonnage: liability is limited to 4.51 million SDR (US\$5.78 million) (*Under the 1992 Protocol, the limit was 3 million SDR (US\$3.8 million)*)
- For a ship 5,000 to 140,000 gross tonnage: liability is limited to 4.51 million SDR (US\$5.78 million) plus 631 SDR (US\$807) for each additional gross tonne over 5,000 (*Under the 1992 Protocol, the limit was 3 million SDR (US\$3.8 million) plus 420 SDR (US\$537.6) for each additional gross tonne*)
- For a ship over 140,000 gross tonnage: liability is limited to 89.77 million SDR (US\$115 million) (*Under the 1992 Protocol, the limit was 59.7 million SDR (US\$76.5 million)*)

## UPCOMING IMO MEETINGS

**Dec. 11-15**

Sub-Committee on radiocommunications and search & rescue



## Support for Risk-Based Decision Making

The U.S. Coast Guard is committed to establishing a risk-based decision-making culture. From the Commandant's Coast Guard 2020 to RADM North's Marine Safety and Environmental Protection Business Plan, it becomes clear that this is the way of the future. The CG 2020 states that "Domestically, risk assessment will drive ongoing efforts to reduce mishaps." Risk management is also one of five capability goals under RADM North's Performance Plan; its strategic goal is to "establish risk-based decision-making as a core competency to provide for enhanced decision-making and further progress toward achieving organizational goals."

The focus of this article will be to highlight the many ways that the Human Element and Ship Design Division (G-MSE-1) provides support in establishing a risk-based decision-making (RBDM) culture. Specifically, this article targets tangible, day-to-day areas of support.

One exciting area of support we believe will have a positive and lasting effect is the CG Risk Web Site. The site has undergone a complete facelift and also added many new components; you now can access the site at [www.uscg.mil/hq/g-m/risk/](http://www.uscg.mil/hq/g-m/risk/). The goal of this site is to highlight current activities, provide links to resources and databases, and eventually provide a question and answer forum. Within the Activities section, you will discover what other field units are doing and how risk is being applied to Passenger Vessels, Waterways Management, Response, Preparedness and more. Finally, this site will be used as one of the major launching grounds for the 2<sup>nd</sup> edition of the Risk-Based Decision-Making Guidelines (RBDMG) and will continue to provide support for the Guidelines.

The R&DC created this edition of the Guidelines with G-MSE-1's sponsorship. The RBDMG will become a major source of support to the marine safety community upon its delivery in spring 2001. You will find an article in the next issue of this newsletter describing the relationship and differences between Operational Risk Management (ORM) and RBDM. As you may be aware, ORM is an initiative to apply risk methods to prevent Coast Guard losses that arise from internal operations. The February PTP article will focus specifically on the ins-and-outs of the new Guidelines. One preview of the Guidelines you can look forward to is the inclusion of the RBDM Navigator. In order to make the guidelines more reader friendly, the Navigator provides a map to help guide you in addressing specific issues as well as finding advice, guidance, or examples you may need.

Training issues related to developing RBDM as a core competency are being addressed as well. In conjunction with the R&DC and the Training Center Yorktown, a workshop aimed at introducing the RBDMG to field personnel is being planned for spring 2001. The rollout workshop will bring personnel together to learn about the applications of the most common techniques. Units with some experience in applying RBDM will share their impressions and lessons learned. Training materials from this workshop will also be provided (and available to all who want them) so training may continue at all units.

Finally, the revised RBDMG will be distributed as an attachment to a new COMDTINST on RBDM. The instruction will establish the policy and provide direction and guidance for using RBDM. This is one aspect of an overall dedication to ensuring that constraints on the field are addressed, that adequate support is available, and that the end result of the RBDM efforts equates to a positive change in how marine safety risks are evaluated and managed.

### PRINCIPLES

- Take a Quality Approach
- Honor the Mariner
- Seek Non-Regulatory Solutions
- Share Commitment
- Manage Risk

### VISION

To achieve the world's safest, most environmentally sound and cost-effective marine operations by emphasizing the role of people in preventing casualties and pollution.

### GOALS

- Know More
- Train More
- Do More
- Offer More
- Cooperate More

### Contact us directly with your PTP story:

Commandant (G-MSE-1), U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC 20593-0001; (202) 267-2997; (202) 267-4816 FAX; e-mail: [fldr-he@comdt.uscg.mil](mailto:fldr-he@comdt.uscg.mil)

### Contributions

*Marine Safety Newsletter* and *Proceedings* magazine welcome manuscript and photo submissions for publication. No payment can be made for manuscripts or photos submitted for publication. However, an author or photo credit byline will be given. The Editor reserves the right to make any editorial changes in manuscripts, which he believes will improve the material without altering the intended meaning. All correspondence should be addressed to: Editor, U.S. Coast Guard, National Maritime Center, 4200 Wilson Boulevard, Suite 510, Arlington, VA 22203-1804.

### Deadlines

- The Marine Safety Newsletter is published monthly on the 5th of each month.
- The deadline for articles, calendar events, and regulatory information is on the 25th of the previous month.
- Readers receive their copy of the *Marine Safety Newsletter* around the 15th of each month.

### Up to the Minute News

Items missing the deadline for the *Marine Safety Newsletter* are posted on the World Wide Web at:

**[www.uscg.mil/hq/g-m/gmhome.htm](http://www.uscg.mil/hq/g-m/gmhome.htm).**

### Address Changes

If you would like to receive the Marine Safety Newsletter or change your address (be sure to send label or include code number), please call **(202) 493-1056** or fax **(202) 493-1065**.

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